

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived and passed, the Senate is in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed; whereupon, at 2:15 p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

BANKRUPTCY REFORM ACT OF 1999—Continued

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Wellstone amendment No. 2537 to S. 625. Under the previous agreement, there will be 5 minutes equally divided.

Who yields time?

Mr. WELLSTONE. Mr. President, I wonder whether I could ask unanimous consent that the vote be first on the payday amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WELLSTONE. I thank my colleagues. I thank Senator GRASSLEY from Iowa.

AMENDMENT NO. 2538

The PRESIDING OFFICER. If the Senator will yield for a moment, the question is on agreeing to the motion to table amendment No. 2538 by Senator WELLSTONE.

Mr. WELLSTONE. I thank the Chair.

Mr. President and colleagues, I was on the floor earlier talking about this whole problem of payday amendments, payday loans, and car title pawns. To make a long story short, it is a very unscrupulous practice. You have targets of low-income, you have targets of women, you have targets of seniors who basically get a loan because of something that happened in the family—medical emergency, you name it, for \$100, \$200. It is rolled over and over again. They can end up being charged 300, 400, or 500 percent a year—or a lien can be put on their car. The car can be repossessed and sold. There isn't a requirement in many States that these families at least get back what they no longer owe to these creditors. I don't know why, when it comes to bankruptcy, those lenders who in good faith have provided loan money to people should be crowded out.

This amendment simply says if you are charging over 100 percent in annual interest on a loan and the borrower goes bankrupt, you cannot make a claim on that loan or the fees from that loan.

This is all about whether we are on the side of a lot of vulnerable citizens—on the side of single parents, families, women, on the side of moderate-income citizens—or on the side of these loan sharks.

This amendment, I believe, should get a huge vote. Every consumer organization is for this amendment, and many other organizations representing

women and labor and low- and moderate-income people are for this amendment. I certainly hope the Senate will vote for this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senator from Minnesota is asking the Senate to put these provisions in law in the bankruptcy code for loans that are legal under State law.

He would have this done in two ways: No. 1, he would say that the State judges could not enforce these debt collections; and, No. 2, he would say that in bankruptcy it could not be recovered in bankruptcy.

First of all, these are legal contractual relations. They are legal under State law. So it ought to be questioned whether or not the Senate of the United States or the legislatures of Minnesota and Iowa ought to be making these determinations. It is my judgment that we should not use the bankruptcy code to upset the legal bankruptcy laws of the respective States.

I ask my colleagues to vote this amendment down.

Mr. WELLSTONE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 18 seconds remaining.

Mr. WELLSTONE. Mr. President, I want to point out to my colleagues that a lot of these unscrupulous credit companies get around State regulations and protections through Federal law. A lot of them are chartered by Federal law.

So it is certainly appropriate to take this action if we want to protect consumers and not be on the side of these loan sharks.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. I yield my time.

The PRESIDING OFFICER. All time is yielded. The vote will now occur on the tabling motion.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 2538. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FITZGERALD (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from New Hampshire (Mr. GREGG) and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—53

Abraham	Bennett	Bunning
Allard	Bond	Burns
Ashcroft	Brownback	Campbell

Chafee	Hatch	Roth
Cochran	Helms	Santorum
Collins	Hutchinson	Sessions
Coverdell	Hutchison	Shelby
Craig	Inhofe	Smith (NH)
Crapo	Johnson	Smith (OR)
DeWine	Kyl	Snowe
Domenici	Lincoln	Specter
Enzi	Lott	Stevens
Frist	Lugar	Thomas
Gorton	Mack	Thompson
Gramm	McConnell	Thurmond
Grams	Murkowski	Voinovich
Grassley	Nickles	Warner
Hagel	Roberts	

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Mikulski
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Jeffords	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—2

Gregg McCain

The motion was agreed to.

AMENDMENT NO. 2537, WITHDRAWN

Mr. WELLSTONE. Mr. President, I ask unanimous consent to withdraw amendment No. 2537.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2667

(Purpose: To encourage the democratically elected government of Indonesia and the armed forces of Indonesia to take such additional steps as are necessary to create a peaceful environment in which the results of the August 30, 1999, vote on East Timor's political status can be implemented)

Mr. FEINGOLD. Mr. President, I call up amendment No. 2667.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 2667.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following:

TITLE —EAST TIMOR SELF-DETERMINATION ACT OF 1999

SEC. 01. SHORT TITLE.

This title may be cited as the "East Timor Self-Determination Act of 1999".

SEC. 02. FINDINGS; PURPOSE; SENSE OF SENATE.

(a) CONGRESSIONAL FINDINGS.—